

**JUL 28 2006**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

JESUS VALLADARES FIGUEROA;  
GUILLERMINA URIBE FIGUEROA;  
GIOVANNY VALLADARES URIBE,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 04-76734

Agency Nos. A79-542-159  
A79-542-160  
A79-542-161

MEMORANDUM\*

On Petition for Review of Orders of the  
Board of Immigration Appeals

Submitted July 24, 2006\*\*

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Jesus Valladares Figueroa, his wife Guillermina Uribe Figueroa, and their son Giovanni Valladares Uribe, natives and citizens of Mexico, petition for

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

review of the Board of Immigration Appeals' ("BIA") orders dismissing their appeal from an immigration judge's decision denying their applications for cancellation of removal. To the extent we have jurisdiction, it is conferred by 8 U.S.C. § 1252. We dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the agency's discretionary determination that petitioners Jesus Valladares Figueroa and Guillermina Uribe Figueroa failed to show exceptional and extremely unusual hardship to their two United States citizen children. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 929-30 (9th Cir. 2005).

Giovanny Valladares Uribe is ineligible for cancellation of removal because he lacks a qualifying relative. *See* 8 U.S.C. § 1229b(b)(1)(D).

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**